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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**

DEC 16 2019 *AM*

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

DAVID A. DEWAR,	)	
	)	
Pro se Plaintiff,	)	CASE NO.16CV 2287
	)	
v.	)	The Honorable Judge Virginia Kendall
	)	
CHICAGO POLICE DEPARTMENT AND	)	
CHICAGO POLICE OFFICERS T.J. FELMON,	)	
M.K. DEVINE AND C.J. LONG	)	
	)	
Defendants	)	

**AFFIDAVIT OF SHIRLEY DEWAR**

Shirley Dewar, after duly being placed under oath on Monday, December 2, 2019 and states as a witness in this matter, testified to the following based on her own recollection and personal knowledge:

1. I am over 18 years of age and am competent to testify to the following matters.
2. On February 17, 2014 about 15 inches of snow fell on Millard Avenue. In the evening, I was outside shoveling the walk and driveway. William Hosty the next door neighbors father was snow blowing snow from his sons driveway over the back fence onto my property and some on my back side windows. When I went over to William Hosty and asked him politely to stop blowing the snow over the back fence onto my property, he answered " I am sick of you people", and continued blowing the snow.
3. I asked my son David to talk to William Hosty on my behalf and he did. I could overhear David's conversation. He did not make any threats to William Hosty, but suddenly, William yelled that David had threatened to " Kick his ass". I never heard David say anything like that statement during the conversation with William Hosty.

That was a lie by William Hosty falsely accusing my son of threatening to "Kick his ass". William Hosty appeared angry that I asked him not to keep snow blowing the snow over the back fence into my yard. William Hosty appeared angry when my son asked him upon my request not blow snow over the back fence onto our property and on the back side windows, and in his anger William Hosty falsely accused my son David of threatening to " Kick his Ass".

4. William Hosty said he was calling the Police and signaled to his Daughter-in-Law to make the call as she just then walked out the front door of there house . Immediately my son David Dewar retreated to our side drive and called the 22<sup>nd</sup> District Chicago Police and then was instructed to call 911 as he immediately did. William Hosty never retreated to going in the house after he lied and said my son David threatened to " Kick his ass" he continued to snow blow the snow on his sons driveway. Only my son David retreated to our driveway and then into our house.

5. David then went downstairs inside the house to change his clothes and I followed him into the house. About ten minutes later, the police loudly knocked on the front door as David raced upstairs still having on some wet clothes and not completely changed into his dry clothes. The two Officers at the front door were Officers Felmon and Devine and they asked David and me to come outside to talk. When I exited the house, I saw William Hosty outside his sons next to our house talking to the neighbor who lives across the street CPD Detective Scott McKenna.

6. I was upset when I spoke to the Police Officers, but I was not hysterical or incoherent. I explained about how William Hosty had been blowing snow over the back fence onto my property in back and onto my back side windows and I asked him not to

continue. William Hosty responded in anger by saying " I am sick of you people" and continued to blow the snow. I also explained to two Officers my son David asked William Hosty upon my request to stop blowing the snow over the back fence onto our property and onto the back rear windows and in his anger William Hosty falsely accused my son of threatening to " Kick his Ass". Officer Felmon then told me to shut up and threatened me if I didn't he would go into my house. No Search Warrant was issued by Officer Felmon. In my fear and Officer Felmon's intimidation I obeyed his verbal threat and immediately stopped speaking.

7. During the questioning of my son David Dewar with Officers Felmon and Devine, my son David pointed to the areas of the back fence in the backyard and the side windows along the house where William Hosty was snowblowing onto our property and the Officers never went over to inspect or investigate those areas at all. They demanded and ordered at the Hosty driveway for my son David to apologize to William Hosty for threatening to " Kick his Ass" or else they were going to arrest my son David. I was scared as I feared my son David was going to be arrested by Officer Felmon as he tried to bully my son on behalf of William Hosty to admit to a threat he never made and William Hosty lied about.

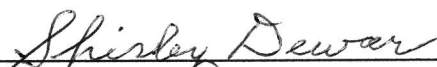
8. William Hosty, his daughter-in-law Jennifer and CPD Detective Scott McKenna were in front of the Hosty house when David and I and Officers Felmon and Devine tried to force an apology from my son David. Officer Felmon repeated his demand that David apologize to William Hosty for threatening to " Kick his Ass". David said that he was sorry that the police had been called out and this could not been worked out but never apologized to William Hosty for " Kicking his Ass". Officer Felmon tried a second time to force David to apologize to William Hosty for " Kicking



his Ass" and David said the same thing as he said the first time that he apologized and was sorry the Police had to come out and we could not work this out. Officer Felmon a third time loudly demanding to my son David you got to say it, say it , say it meaning my son David had to say he threatened William Hosty to " Kick his Ass." I was in fear and upset for my son David Not to get arrested, but I never said for my son David to apologize for threatening William Hosty to "Kick his Ass" because I knew this was a lie by William Hosty. As Officer Felmon was bullying and intimidating my son Officer Felmon had his handcuffs out as he twirled them around on his right index fingers grinning at me and my son with sheer intimidation to force an apology from my son for a threat he never made against William Hosty.

9 . My son David Dewar said he could not apologize for a threat he never made to William Hosty of " Kicking his Ass" which was a lie. Officers Felmon and Devine then put handcuffs on my son David and arrested him and marched him to the Police vehicle across the street. My son David was clearly framed and set up as William Hosty who has clout was able to use these two police officers Felmon and Devine as an intimidating weapon against my son in his false arrest and to try to force and intimidate a false apology. The behavior of these two CPD Police Officers is shameful.

FURTHER AFFIANT SAYETH NAUGHT

  
SHIRLEY DEWAR

In accordance with 28 U.S.C. § 17 46, I certify under penalties of perjury that the

foregoing statements are true and correct

Executed on: 12/16/2019 Shirley Dewar  
SHIRLEY DEWAR

Nichole A Molina 12-16-19

